

Appl. No. 09/736,345
Amdt. Dated August 8, 2003
Reply to Office Action of May 20, 2003

REMARKS

Claims 12-55 are pending. Claim 1 is herein cancelled, and claims 2-11 have been withdrawn. Claims 12-55 are being added herein.

On December 31, 2002, Examiner Rena Dye issued an office action indicating a restriction requirement, and advised the Applicant to secure a registered patent attorney to assist in the prosecution of this application. To that end, the Applicant has retained the law firm of Maine & Asmus.

On March 24, the Applicant's undersigned attorney contacted Examiner Dye to inform her that the Applicant had retained counsel per her suggestion. The Applicant's attorney further indicated that a response to the restriction requirement was forthcoming, and that the Applicant further intended to file a preliminary amendment with a new claim set that more clearly defined the claimed invention. Examiner Dye indicated that she was leaving on maternity leave, but that she would leave a note in the file to not examine the case until the preliminary amendment was received. Examiner Dye further indicated that it was unlikely the case would be examined on the merits before the end of May. The Applicant's response to the restriction requirement was filed on March 31, 2003, and elected claim 1, and withdrew claims 2-12. The Applicant's preliminary amendment was ready for filing on May 23, 2003.

Upon a review of the PAIR system to obtain current filing information in preparation for filing of the preliminary amendment, the Applicant's attorney noticed that an office action on the merits had surprisingly been mailed on May 20, 2003. The Applicant's attorney contacted newly assigned Examiner James Kramer to discuss Examiner Dye's note, as well as the Applicant's reliance on same. Examiner Kramer acknowledged the note, but indicated that he was instructed by his supervisor to proceed with the examination of the elected claim 1 (despite the noted forthcoming preliminary amendment not having been filed). Examiner Kramer referred the Applicant's attorney to his supervisor, Examiner Robert Olszewski.

The Applicant's attorney then contacted Examiner Olszewski, and explained how the Applicant relied on the earlier discussion with Examiner Dye, and did not intend for the elected claim 1 to be examined on the merits given the noted forthcoming preliminary amendment, including a properly crafted claim set. In short, the Applicant did not wish to expend one of the

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allocated examinations that is typically included in the service provided by the Office, given payment of the original filing fee. Examiner Olszewski confirmed that the Applicant should be able to rely on the statement made by Examiner Dye, and informed the Applicant's attorney to contact him should a final rejection situation present itself prematurely.

Thus, despite the Applicant's belief that the Office Action mailed on May 20, 2003 is the product of a premature examination, the Applicant will now address the Office Action on the merits.

The Examiner objected to elected claim 1 due to certain informalities of the claim. The Applicant has cancelled claim 1 herein, and has provided new claims 12-55 for examination. As such, the Applicant respectfully submits that the objection is now moot, as the new claim set appears to satisfy the Examiner's objection.

The Examiner rejected claim 1 under the first paragraph of 35 U.S.C. §112, due to the use of the word "any." In particular, the Examiner suggests that the claim 1 limitations of "allowing the reading of any trial balance printed on disk, instead of paper, by any accounting software," as well "allowing its integration in any accounting software" are unsupported by the original specification.

As previously stated, the Applicant has cancelled claim 1, and has provided new claims 12-55 for examination. As a preliminary matter, the new claims do not include the express use of the word "any" in the context cited by the examiner. As such, the rejection appears to be moot.

However, it is important to note here that the claimed invention can indeed be configured to read accounting data stored on a computer readable medium by any accounting system using conventional data reading techniques or manual data entry techniques, as will be apparent in light of the Applicant's disclosure. For instance, as illustrated in the Applicant's Figure 3, accounting data 300 can come from, for example, any trial balance, that is stored on a computer readable medium 302 by any accounting software 301. This trial balance data stored in 302 can be read by process 303 using well-known conventional data reading techniques (e.g., ASCII data parsing or custom-coded reading module). Similarly, accounting transactions listed in transactions

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reports and stored on a computer readable medium 306 can be similarly read using process 307. (e.g., Applicant's specification, p. 8 line 26 to p. 9, line 5; p. 35, lines 1-21; Figure 3). In addition or alternatively, the data stored on the computer readable medium 302 can be visually displayed, and manually entered using the record and modify module 305, while the data stored on the computer readable medium 306 can be visually displayed, and manually entered using the journal entries module 312. (e.g., Applicant's specification, p. 8 line 26 to p. 9, line 15; p. 31, line 27 to p. 33, line 13; p. 36, lines 7-14; Figure 24). Regardless of how the accounting data is acquired, it is processed as defined in claims 12-55.

Likewise, the claimed invention can indeed be integrated into any accounting software, word processor software, spreadsheet software, editing software, etc, using conventional interface techniques, as will be apparent in light of the Applicant's disclosure. (e.g., Applicant's specification, p. 9 lines 15-20; Figure 24). It is a common and conventional practice to integrate known modular software components into existing systems so that the two can operate in conjunction with one another. Relevant inputs and outputs of each module or sub-system can be communicatively coupled or otherwise associated with ordinary skill in the art, with the implementation goal of integrating the known functionality of one with the known functionality of the other. In any event, the claimed invention (e.g., independent claims 12, 39, 40, 48, and 52-55) can exist independently of the likes of accounting software, word processor software, spreadsheet software, editing software, and need not be integrated. Only new dependent claims 21 and 22 define the method as being "integrated."

For at least the above reasons, the Applicant submits that the rejection of claim 1 under §112, first paragraph is moot, as well as properly traversed. As such, the Applicant respectfully requests the Examiner to withdraw this rejection.

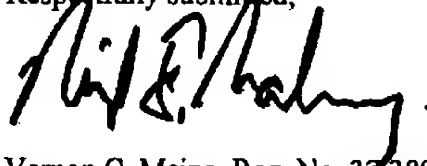
The Examiner twice rejected claim 1 under the second paragraph of 35 U.S.C. §112, as being indefinite and failing to particularly define the invention.

As previously stated, the Applicant has cancelled claim 1, and has provided new claims 12-55 for examination. As such, each of the two rejections under §112, second paragraph, appear to be moot.

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Applicant believes the above amendments and remarks to be fully responsive to the Office Action, thereby placing this application in condition for allowance. No new matter is added. Applicant requests speedy reconsideration, and further requests that Examiner contact its attorney by telephone, facsimile, or email for quickest resolution, if there are any remaining issues.

Respectfully submitted,



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